

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Sankona Graham,

Plaintiff(s),

vs.

Theodore Eisenloffel, et al.,

Defendant(s).

2:21-cv-01674-RFB-MDC

Order

The Court has considered the Motion to Withdraw as counsel of record for Mr. Graham (ECF No. 154) by Cory M. Ford, Esq. and Andre M. Lagomarsino, Esq.; Mr. Graham's objection (ECF No. 157) to the motion, which includes a request for the appointment of a new counsel; and Mr. Graham's correspondence to the Court dated February 12, 2024 (ECF No. 158), which includes a request for oral argument on counsel's motion to withdraw. It is apparent from the filings that there are irreconcilable differences that each side has against the other. The Court therefore GRANTS the Motion to Withdraw. Cory M. Ford, Esq. and Andre M. Lagomarsino, Esq. shall be removed as counsel of record for Mr. Graham. The Court DENIES Mr. Graham's request for a hearing.

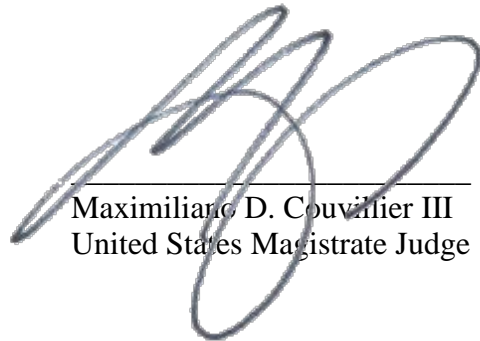
The Court does not believe that a hearing is necessary or helpful as it is clear from the record that all parties agree that the withdraw of counsel is in everyone's best interest. The Court further DENIES Mr. Graham's request for the appointment of new counsel. This is a civil matter and the Court does not have authority to appoint counsel as requested. "There is no constitutional right to appointed counsel in a § 1983 action." *Rand v. Rowland*, 113 F.3d 1520, 1525 (9th Cir. 1997) (partially overruled en banc on other grounds). Thus, federal courts do not have the authority "to make coercive appointments of counsel." *Mallard v. U.S. Dist. Ct.*, 490 U.S. 296, 310 (1989); see also *United States v. \$292,888.04 in U.S. Currency*, 54 F.3d 564, 569 (9th Cir. 1995). The Court previously vacated the remaining deadlines and

1 stayed discovery. ECF No. 155. The Court now lifts the discovery stay and resets those deadlines by
2 extending the remaining deadlines by thirty days.

3 **IT IS ORDERED** that:

- 4 1. Counsel's Motion to Withdraw (ECF No. 154) is GRANTED.
- 5 2. Plaintiff Sankona Graham's motion for oral arguments is DENIED.
- 6 3. The discovery stay (ECF No. 155) is now LIFTED.
- 7 4. The new discovery deadlines are as follows:
- 8 a. Deadline to amend pleadings and add parties: Closed
- 9 b. Deadline for initial expert disclosures: Closed
- 10 c. Deadline for rebuttal expert disclosures: Closed
- 11 d. Discovery cut-off: Wednesday, April 3, 2024
- 12 e. Deadline to file dispositive motions: Wednesday, May 1, 2024
- 13 f. Deadline to file joint pre-trial order¹: Wednesday, July 3, 2024

14 Dated this 16th day of February 2024.

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18 Maximiliano D. Couvillier III
19 United States Magistrate Judge
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25 ¹ If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.